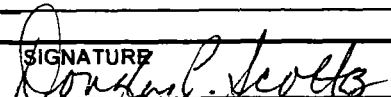
	U.S. ENVIRONMENTAL PROTECTION AGENCY Assistance Amendment		ASSISTANCE ID NO.			DATE OF AWARD 01/05/2010 MAILING DATE 01/12/2010 ACH# 50183	
			PRG	DOC ID	AMEND#		
			V	96558801	- 5		
			TYPE OF ACTION				
			Revision: Scope & Increase				
RECIPIENT TYPE: State			Send Payment Request to: Las Vegas Finance Center				
RECIPIENT: Illinois Environmental Protection Agency 1021 North Grand Avenue East P.O. Box 19276 Springfield, IL 62794-9276 EIN: 01-0572642			PAYEE: Illinois Environmental Protection Agency 1021 North Grand Avenue East P.O. Box 19276 Springfield, IL 62794-9276				
PROJECT MANAGER		EPA PROJECT OFFICER		EPA GRANT SPECIALIST			
Richard Amoako 1021 North Grand Avenue East P.O. Box 19276 Springfield, IL 62794-9276 E-Mail: Richard.Amoako@illinois.gov Phone: 217-782-0444		Gloria Willis 77 West Jackson Blvd., SM-7J Chicago, IL 60604-3507 E-Mail: Willis.Gloria@epa.gov Phone: 312-886-7259		Marco Santos Assistance Section, MC-10J E-Mail: Santos.Marco@epa.gov Phone: 312-353-3490			
PROJECT TITLE AND EXPLANATION OF CHANGES Southeast Rockford Source Area #7 Superfund Site Increase of Funds (Supplemental)							
This action is to provide supplemental funds to the Illinois Environmental Protection Agency to complete the Remedial Design and Remedial Action activities at the Southeast Rockford Source Area #7 groundwater contamination Superfund site. Activities include remedial design completion, interim soil removal, remedial action implementation and oversight, groundwater monitoring, operation and maintenance of the remediation system, and community relations outreach.							
BUDGET PERIOD		PROJECT PERIOD		TOTAL BUDGET PERIOD COST			
04/01/2006 - 03/31/2011		04/01/2006 - 03/31/2011		\$9,039,666.00			
				TOTAL PROJECT PERIOD COST			
				\$9,039,666.00			
NOTICE OF AWARD							
Based on your application dated 08/25/2009, including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA), hereby awards \$7,900,000. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$9,039,666. Such award may be terminated by EPA without further cause if the recipient fails to provide timely affirmation of the award by signing under the Affirmation of Award section and returning all pages of this agreement to the Grants Management Office listed below within 21 days after receipt, or any extension of time, as may be granted by EPA. This agreement is subject to applicable EPA statutory provisions. The applicable regulatory provisions are 40 CFR Chapter 1, Subchapter B, and all terms and conditions of this agreement and any attachments.							
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE				
ORGANIZATION / ADDRESS			ORGANIZATION / ADDRESS				
U.S. EPA Region 5 Mail Code MCG10J 77 West Jackson Blvd. Chicago, IL 60604-3507			U.S. EPA, Region 5 Superfund Division 77 West Jackson Blvd., S-6J Chicago, IL 60604-3507				
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY							
SIGNATURE OF AWARD OFFICIAL		TYPED NAME AND TITLE		DATE			
Digital signature applied by EPA Award Official		Cyndy Colantoni, Acting Assistant Regional Administrator for Resources Management		01/05/2010			
AFFIRMATION OF AWARD							
BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION							
SIGNATURE		TYPED NAME AND TITLE		DATE			
		Douglas P. Scott, Director		1/29/10			

EPA Region 5 Records Ctr.



392515



V - 96558801 - 5 Page 2

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 1,139,666	\$ 7,900,000	\$ 9,039,666
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 0	\$	\$ 0
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 1,139,666	\$ 7,900,000	\$ 9,039,666

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.802 - Superfund State Political Subdivision and Indian Tribe Site Specific Cooperative Agreements	CERCLA: Sec. 104(d)(1)	40 CFR PTS 31 & 35 SUBPT O

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
SE ROCKFRD	105ASEX013	10	TR2	5AF1R	302DD2E	4185	05DKRA07	C003	3,600,000
SE ROCKFRD	105ASEX013	10	TR2B	5AF1R	302DD2E	4185	05DKRA07	C003	4,300,000
									7,900,000

Budget Summary Page: IL EPA--SE Rockford Area 7 Budget Breakdown

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$421,371
2. Fringe Benefits	\$81,941
3. Travel	\$28,070
4. Equipment	\$0
5. Supplies	\$0
6. Contractual	\$8,350,797
7. Construction	\$0
8. Other	\$0
9. Total Direct Charges	\$8,882,179
10. Indirect Costs: % Base SEE TABLE B	\$157,487
11. Total (Share: Recipient 0.00 % Federal 100.00 %.)	\$9,039,666
12. Total Approved Assistance Amount	\$9,039,666
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$7,900,000
15. Total EPA Amount Awarded To Date	\$9,039,666

Administrative Conditions

The following administrative terms and conditions have been updated :

2. MBE/WBE REQUIREMENTS

In accordance with EPA's Program for Utilization of Small, Minority and Women's Business Enterprises in procurement under assistance programs, the recipient agrees to:

a) Accept the applicable FY 2010 "fair share" goals negotiated with EPA by the Illinois Environmental Protection Agency as follows:

Combined Rate: MBE-5% WBE-12%

If the recipient does not want to rely on applicable Illinois Environmental Protection Agency's MBE/WBE goals, the recipient agrees to submit proposed MBE/WBE goals based on availability of qualified minority and women-owned businesses to do work in relevant market for construction, services, supplies and equipment. "Fair share" objectives must be submitted the MBE Coordinator within 30 days of award and approved by EPA no later than 30 days thereafter.

b) Ensure to the fullest extent possible that at least the FY 2010 "fair share" objective [see a) above] of Federal funds for prime contractors or subcontracts for supplies, construction, equipment or services are made available to organizations owned or controlled by socially and economically disadvantaged individuals, women and historically black colleges and universities.

c) Include in bid documents "fair share" objectives of 2010 fair share percentage [see a) above] and require all of its contractors to include in their bid documents for subcontracts the negotiated fair share percentages.

d) Follow the six affirmative steps stated in 40 CFR 30.44(b) 40 CFR 31.36(e), 35.3145(d), or 35.6580, as appropriate.

e) The recipient agrees to submit an EPA form 5700-52A "MBE/WBE Utilization Under Federal Grants, Cooperative Agreements and Interagency Agreements" beginning with the Federal fiscal year quarter the recipient receives the award and continuing until the project is completed. These reports must be submitted to Adrienne M. Callahan, MBE Coordinator within 30 days of the end of the Federal fiscal quarter (January 30, April 30, July 30, and October 30). For assistance awards for continuing environmental programs (40 CFR Part 35, Subpart B) and assistance awards with institutions of higher education, hospitals and other non-profit organizations, the recipient agrees to submit an EPA form 5700-52A to Adrienne M. Callahan, MBE Coordinator by October 30 of each year. (Reporting form available at www.epa.gov/osdbu.) Submit reports to:

**Adrienne M. Callahan, Region 5 MBE/WBE Coordinator
US EPA--Acquisition and Assistance Branch
77 West Jackson Boulevard, MC-10J
Chicago, IL 60604**

f) In the event race and/or gender neutral efforts prove to be inadequate to achieve a fair share objective for MBE/WBEs, the recipient agrees to notify EPA in advance of any race and/or gender conscious action it plans to take to more closely achieve the fair share objective.

g) Until the recipient has completed its fair share negotiations with EPA, it agrees to maintain state Agency's fair share objectives. Once the recipient has completed its fair share negotiations with EPA, it will apply those objectives. The recipient also agrees to include in its bid documents the applicable FY 2010 "fair share" objectives and require all of its prime contractors to include in their bid documents for

subcontracts the applicable FY 2010 "fair share" percentages and to comply with paragraphs (c) through (e) above.

EPA may take correction action under 40 CFR Parts 30, 31 and 35, as appropriate, if the recipient fails to comply with these terms and conditions.

For further information, please contact Adrienne Callahan at 312-353-5556, email: Callahan.Adrienne@epa.gov

4. CONSULTANT CAP

Payment to consultants. EPA participation in the salary rate (excluding overhead) paid to individual consultants retained by recipients or by a recipient's contractors or subcontractors shall be limited to the maximum daily rate for a Level IV of the Executive Schedule (formerly GS-18), to be adjusted annually. This limit applies to consultation services of designated individuals with specialized skills who are paid at a daily or hourly rate. As of January 1, 2010, the limit is \$596.00 per day and \$74.50 per hour. This rate does not include transportation and subsistence costs for travel performed (the recipient will pay these in accordance with their normal travel reimbursement practices).

Subagreements with firms for services which are awarded using the procurement requirements in 40 CFR 30 or 31, as applicable, are not affected by this limitation unless the terms of the contract provided the recipient with responsibility for the selection, direction, and control of the individuals who will be providing services under the contract at an hourly or daily rate of compensation. See 40 CFR 31.36(j) or 30.27(b).

15. UNLIQUIDATED OBLIGATIONS - INTERIM FFR - PART 31 RECIPIENTS

Submission of interim Federal Financial Reports

Pursuant to 40 CFR 31.41(b) and 31.50(b), EPA recipients shall submit an annual Federal Financial Report (SF-425) to EPA no later than 90 calendar days following the end of the reporting quarter.

The following reporting period end dates shall be used for interim reports: 3/31, 6/30, 9/30, or 12/31.

At the end of the project, the recipient must submit a final Federal Financial Report to EPA no later than 90 calendar days after the end of the project period. The form is available on the internet at <http://www.epa.gov/ocfo/finservices/forms.htm>. All FFRs must be submitted to the Las Vegas Finance Center: US EPA, LVFC, PO Box 98515, Las Vegas, NV 89193, or by Fax to: 702-798-2423.

The LVFC will make adjustments, as necessary, to obligated funds after reviewing and accepting a final Federal Financial Report. Recipients will be notified and instructed by EPA if they must complete any additional forms for the closeout of the assistance agreement.

EPA may take enforcement actions in accordance with 40 CFR 31.43 if the recipient does not comply with this term and condition.

Note: Administrative terms and conditions #3--"Multi-Year Grant--Interim Financial Status Reports" and #14--"Federal Cash Transaction Report" are no longer applicable to this agreement.

Note: The following administrative term & condition has been added:

19. SUBAWARDS

- a. The recipient agrees to:
- (1) Establish all subaward agreements in writing;
 - (2) Maintain primary responsibility for ensuring successful completion of the EPA-approved project (this responsibility cannot be delegated or transferred to a subrecipient);

- (3) Ensure that any subawards comply with the standards in Section 210(a)-(d) of OMB Circular A-133 and are not used to acquire commercial goods or services for the recipient;
 - (4) Ensure that any subawards are awarded to eligible subrecipients and that proposed subaward costs are necessary, reasonable, and allocable;
 - (5) Ensure that any subawards to 501(c)(4) organizations do not involve lobbying activities;
 - (6) Monitor the performance of their recipients and ensure that they comply with all applicable regulations, statutes, and terms and conditions which flow down in the subaward;
 - (7) Obtain EPA's consent before making a subaward to a foreign or international organization, or a subaward to be performed in a foreign country; and
 - (8) Obtain approval from EPA for any new subaward work that is not outlined in the approved work plan in accordance with 40 CFR Parts 30.25 and 31.30, as applicable.
- b. Any questions about subrecipient eligibility or other issues pertaining to subawards should be addressed to the recipient's EPA Project Officer. Additional information regarding subawards may be found at <http://www.epa.gov/ogd/guide/subaward-policy-part-2.pdf>. Guidance for distinguishing between vendor and subrecipient relationships and ensuring compliance with Section 210(a)-(d) of OMB Circular A-133 can be found at <http://www.epa.gov/ogd/guide/subawards-appendix-b.pdf> and <http://www.whitehouse.gov/omb/circulars/a133/a133.html>.
- c. The recipient is responsible for selecting its subrecipients and, if applicable, for conducting subaward competitions.

All Other Administrative Conditions Remain the Same

Programmatic Conditions

All Programmatic Conditions Remain the Same



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 • (217) 782-2829
James R. Thompson Center, 100 West Randolph, Suite 11-300, Chicago, IL 60601 • (312) 814-6026

PAT QUINN, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

217/782-0444

January 20, 2010

Mr. Marco Santos, EPA Grant Specialist
U.S. Environmental Protection Agency, Region 5
Assistance Section, MC-10J
77 West Jackson Boulevard
Chicago, Illinois 60604

Re: Assistance #V965588-01-5 – Southeast Rockford Source Area7 Superfund Site

Dear Mr. Santos:

Enclosed please find a signed copy of the U.S. Environmental Protection Agency's Assistance Amendment. This verifies the Illinois EPA's acceptance of an award for the Southeast Rockford Source Area #7 groundwater contamination Superfund site for an amount of \$7,900,000.00, bringing the total federal funding to \$9,039,666.00 to-date, for the period ending March 31, 2011.

If you have any questions, please feel free to contact Richard Amoako of my staff at the above telephone number.

Respectfully,

Gary P. King
Acting Bureau Chief

Enclosure

Rockford • 4302 N. Main St., Rockford, IL 61103 • (815) 987-7760

Elgin • 595 S. State, Elgin, IL 60123 • (847) 608-3131

Bureau of Land – Peoria • 7620 N. University St., Peoria, IL 61614 • (309) 693-5462

Collinsville • 2009 Mall Street, Collinsville, IL 62234 • (618) 346-5120

Des Plaines • 9511 W. Harrison St., Des Plaines, IL 60016 • (847) 294-4000

Peoria • 5415 N. University St., Peoria, IL 61614 • (309) 693-5463

Champaign • 2125 S. First St., Champaign, IL 61820 • (217) 278-5800

Marion • 2309 W. Main St., Suite 116, Marion, IL 62959 • (618) 993-7200